IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital the 09th day of August 2005
Criminal Misc. Bail Application No.686/2005
Order on the bail application of accused

CRIMINAL SIDE

Arvind Kumar
S/o Late Mahendera Singh
R/o Nandpur
P.S. Laksar
District Haridwar .....Applicant

Versus

State of Uttaranchal .....Opposite Party

Arising out of case crime No.50 of 2005
U/s 363, 366, 376 I.P.C.
P.S. Laksar
District Haridwar

Hon'ble J. C. S. Rawat, J.

Heard Sri Sanjeev Singh learned counsel for the applicant and learned A.G.A. for the State.

I have gone through the FIR and other relevant documents. It was contended on behalf of the applicant that the statement recorded under section 161 Cr.P.C. does not disclose the offence under section 376 I.P.C. against the present applicant, however, in the statement recorded under section 164 Cr.P.C. the offence was disclosed against the present applicant. The main role has been assigned to Sompal, who happens to be the brother-in-law *{Jija}* of the victim-girl. Considering the facts and circumstances of the case, it is a fit case for bail.

Let the applicant-accused be released on bail on executing a personal bond and two sureties each in the like amount to the satisfaction of the C.J.M. concerned.

(J.C.S. Rawat, J.)

Dated 09.08.2005

LSR